



Senate

State of Minnesota

May 20, 2010

Senator James P. Metzen
Chair
Rules and Administration Subcommittee on Ethical Conduct
322 State Capitol
St. Paul, MN 55155

Re: Letter of inquiry regarding Ethical Conduct of Senator Satveer Chaudhary

Dear Senator Metzen:

The citizens of Minnesota entrust the Senate with the power to create the laws that allow for the security, benefit and protection of the people. That power is granted to the Senate with the understanding that said laws will be created in a just manner, by Senators acting in good faith to the state. That trust is the backbone to the legitimacy of the state government, and when it is violated, it casts question on the peoples' faith in their government. The integrity of the Minnesota Senate should be foremost in our actions and conduct as members. It is in this spirit that I am expressing my concerns over the actions of Senator Satveer S. Chaudhary relating to his efforts to insert language for special walleye regulations on Fish Lake Reservoir.

I am reacting to this situation as it has been reported in the Star Tribune and Duluth News Tribune. According to the reports, Senator Chaudhary personally lobbied to insert language that requires the establishment of special walleye regulations on Fish Lake Reservoir to be in effect by the 2011 season. Senator Chaudhary owns a cabin on Fish Lake Reservoir. Furthermore, Senator Chaudhary's ownership of a cabin on Fish Lake Reservoir was not disclosed until the House-Senate Conference Committee was working on the bill's final language.

Senate Rule 57 governs conflicts of interest in the Minnesota Senate. Rule 57 provides formal procedures for members to disclose potential conflicts of interest if in the discharge of senatorial duties they would be required to take an action or make a decision that would substantially affect the member's financial interests. Disclosure is not required if the effect on the member is no greater than on others in the member's business



classification, profession, or occupation. Senator Chaudhary mentioned his potential conflict of interest to members of the conference committee late at night as it made final approval of the legislation:

"Before we vote on this, I need to make a small mention...Minnesota Statutes 10A require that when there is a legislative action, or a member makes a legislative action that they disclose any potential conflict, that there is any substantial benefit to that member, so let me just disclose that even though it was a House provision, an amendment added in the House, my cabin is on Fish Lake Reservoir, but the provision simply requires some special regulations and does not substantially benefit me in any way whatsoever, so...I'm disclosing that, but I do not believe it is a conflict, unless anyone disagrees."

Senator Chaudhary emphasized that the language was "a House provision, an amendment added in the House," without disclosing that he personally lobbied for its insertion. According to press reports, Senator Chaudhary had in fact gone to the floor of the Minnesota House and "kneeled at the desk of Representative David Dill" and "whispered an urgent request" that was subsequently adopted.

We are concerned that Senator Chaudhary will benefit from increased value of his cabin if walleye fishing improves on Fish Lake Reservoir. We are also concerned that Senator Chaudhary failed to properly disclose the potential conflict of interest.

Under Senate Rule 55.2, we request an advisory recommendation from the Subcommittee on Ethical Conduct into whether a conflict of interest exists when legislation is pursued by a member that would benefit the value of that member's personal real estate holdings. If so, would orally disclosing the conflict to a conference committee satisfy disclosure requirements of Minnesota's Conflict of Interest Law and the Senate Rule regarding Conflict of Interest?

Senator Chaudhary referred to his own actions as a "major league screw up" and we owe it to the institution and to our constituents to take this matter very seriously.

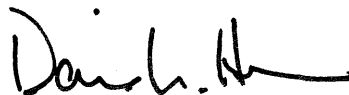
Sincerely,



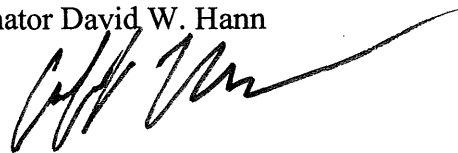
Senator David H. Senjem



Senator Amy T. Koch



Senator David W. Hann



Senator Geoff Michel